



# The British Columbia Gazette.

PUBLISHED BY AUTHORITY.

VICTORIA, 3RD DECEMBER, 1878.

## BRITISH COLUMBIA.

### IN COUNCIL AT GOVERNMENT BUILDINGS,

*The 3rd day of December, 1878.*

#### PRESENT:

HIS HONOUR THE LIEUTENANT-GOVERNOR,  
THE ATTORNEY-GENERAL, THE MINISTER OF FINANCE,  
THE PROVINCIAL SECRETARY.

WHEREAS by the first section of an Act of the Legislature of this Province, passed on the second day of September last, intituled "An Act to enable the Lieutenant-Governor in Council to establish a Tariff of Costs in the Supreme and County Courts," it is enacted that "Notwithstanding anything contained in any "Act or Ordinance, it shall be lawful for the Lieutenant-Governor in Council to "make a tariff of fees to be taken for the use of Her Majesty in the Supreme and "County Courts of this Province, and also to make a tariff of Attorneys' and "Solicitors' costs, including Counsels' fees, to be allowed as between party and "party in any action, suit, or other proceeding, matter, or thing, either at law or in "equity, in the said Courts, and generally to have and exercise all the powers and "authorities" then "had and exercised by the Judges of the said Supreme Court in "relation to the regulation of fees and costs in the said Supreme Court or in the "County Court."

It is hereby ordered and declared by the Lieutenant-Governor of this Province, by and with the advice of the Executive Council thereof, in pursuance and exercise of the power vested in the Lieutenant-Governor by the said Act of Parliament, that from and after the 4th day of January next, the table of costs following shall be that according to which all costs in civil actions, suits, or proceedings in the Supreme Court of this Province shall be allowed and taxed; and no other fees, costs, or charges than those therein set down shall be allowed in respect of the matters thereby provided for, either upon taxation between Attorney or Solicitor and client, or between party and party, except as to a lump sum as hereinafter mentioned.

This order is not to interfere with the right of Attorneys and Solicitors to contract with their client for a lump sum for costs, as provided by the General Orders made by the Chief Justice and Judges of the Supreme Court, and which came into force on the 1st day of March, 1878; the Court, however, shall not have power to order the payment by the opposite party of such lump sum, or any other sum, in lieu of costs, but only the costs and charges laid down in the said table.

The expenses for maps, plans, or other matters not referred to in the said table, if necessary and allowed by the Court or Judge at the trial or afterwards, to be allowed according to the actual and reasonable cost, corresponding as nearly as possible to the several tariffs in the said table.

## AT LAW.

## TO THE ATTORNEY.

## INSTRUCTIONS TO THE ATTORNEY.

Taking instructions to sue or defend, except in Ejectment .....	\$ 3 00
In Ejectment.....	4 00

## WRITS.

Summons, including attendance .....	2 00
Concurrent Summons.....	1 50
Renewed Summons .....	1 50
Capias .....	2 00
Alias.....	2 00
Pluries.....	2 00
Concurrent Capias.....	1 50
Renewed Capias.....	1 50
Capias ad Satisfaciendum .....	2 00
Renewed Capias ad Satisfaciendum.....	1 50
Capias ad Satisfaciendum for the Residue.....	2 00
Renewed Capias ad Satisfaciendum for the Residue .....	1 50
Fieri Facias.....	2 00
Renewed Fieri Facias.....	1 50
Concurrent Fieri Facias.....	1 50
Fieri Facias for the Residue .....	2 00
Renewed Fieri Facias for the Residue.....	1 50
Habere Facias Possessionem.....	2 00
Special endorsement of demand on Writ of Summons .....	1 00
Writ of Revivor.....	2 00
Ejectment (Summons in) .....	2 00
Writ of Trial, drawing, if under Seven Folios .....	1 25
(If above, 10 cents per folio for all above.)	
Writ of Enquiry, the same.....	
Subpoena ad Testificandum.....	1 00
Subpoena, Duces Tecum .....	1 25
(And if above four folios, additional, per folio 10 cents.)	
Attachment.....	2 00
Detainer.....	2 00
Habeas Corpus obtained by Plaintiff, including allowance thereof .....	2 00
Procedendo .....	2 00
Venditioni Exponas.....	2 00
Supersedeas .....	1 25
Mandamus .....	2 00
Injunction .....	2 00
Commission to examine witnesses.....	2 00

NOTE.—The above allowances include all charges for attendance for the writ and delivering it to the officer.

## COPY AND SERVICE OF WRITS OF SUMMONS AND OTHER PROCESS.

For each copy, including copies of all Notices required to be endorsed.....	1 00
Service of each copy of Writ.....	0 50
Mileage per mile, for the distance actually and necessarily travelled .....	0 25

## INSTRUCTIONS FOR PLEADING, &amp;c.

For special Affidavits, when allowed by the Master, and instructing Counsel upon special matters, including attendance .....	\$ 1 00
Instruction to Counsel in common matters, including attendance.....	0 50
Instructions for Pleadings in suit.....	1 50
Instructions for Brief .....	2 00
If difficult, and many Witnesses or Documents, not exceeding.....	5 00
Instructions for every suggestion.....	1 00
Do. for plea of suggestion.....	1 00
Do. for Issue in fact by consent.....	1 50
Do. for suggestion to revive, or for Writ of Revivor, when no rule necessary.....	1 00
Do. for Rule for Writ of Revivor, when necessary.....	1 00
Do. for proceeding in error.....	1 00
Do. to defend for executor, after suggestion of death of original defendant.....	1 00
Do. for agreement of damages .....	1 00
Do. for grounds of error .....	1 00
Do. for assignment of errors after notice.....	1 00
Do. for confession of action in Ejectment, as to the whole or in part.....	1 00
Do. to strike or reduce a Special Jury.....	2 00

## DRAWING PLEADINGS, &amp;c.

Declaration .....	2 00
If above ten folios, for every folio above ten, in addition.....	0 20
One or more Pleas, if five folios or under .....	2 00
If above five folios, for every folio in addition .....	0 20
Joiner of Issue, inclusive of copies and engrossing .....	0 50
Demurrer, inclusive of engrossing.....	1 00
Joiner in Demurrer, inclusive of copies and engrossing.....	0 50
Marginal statement of matters of Law for argument, exclusive of copies for the Judges.....	1 00
Replications, new assignments, grounds of error, assignment of errors, pleas to assignment of errors, and other Pleadings, the same as the foregoing charges for Pleas.	
Postea, including engrossing .....	1 00
Judgment, whether by default or final.....	0 50

Authority to receive moneys out of Court.....	0 50
Suggestions, Pleas to Suggestions, and subsequent Pleadings if three folios or under, inclusive of engrossment .....	0 80
If above three folios, for every folio, drawing and engrossing .....	0 20
Issue for the trial of facts, by agreement, for every folio .....	0 20
Special case, per folio .....	0 20
Drawing interrogatories or answers for any purpose required by Law, including engrossing, per folio .....	0 20
Agreement of Damages and copy, if five folios, or under.....	1 00
Above five folios, for every folio, drawing and engrossing.....	0 20
Special particulars of demand or set off, per folio.....	0 20
Short ditto, and copy .....	0 50
Bill of Costs, and copy for taxation.....	1 00
Taking Cognovit and entering Judgment thereon, when there has been no previous proceeding, and the true debt does not exceed \$200.....	8 00
For the same services, when the true debt does exceed \$200 .....	12 00
Drawing and engrossing Cognovit, or Warrant of Attorney, and attending execution, where there have been previous proceedings.....	1 00
Replication, accepting money out of Court, in full of demand .....	0 70
Every necessary letter on business of the cause.....	0 50

## COPIES.

Declaration when not exceeding ten folios each .....	1 0
Declaration above ten folios, per folio each .....	0 10
Other pleadings before enumerated, above five folios, per folio each .....	0 10
Issue (Pleadings) if fifteen folios or under.....	1 50
If above fifteen folios, for every folio .....	0 10
All Proceedings, Interrogatories, Answers and other papers, of which copies are to be delivered, per folio.....	0 10
Judgment for non-appearance on Specially Endorsed Writs, or Writs of Revivor and in Ejectment, to be taken as nine folios including the Writ.	
Of Special and Common Rules.....	0 75
Of Special Rule, above three folios, per folio additional .....	0 20
Of Summons or Order of a Judge.....	0 50
Of Order to charge a prisoner in execution.....	0 70

## NOTICES, INCLUDING COPY.

To declare, reply, and subsequent proceedings.....	0 50
By Defendant to bring issue to trial .....	0 50
To Executor or Administrator of sole Defendant deceased to appear to writ and suggestion.....	0 50
Of appearance, when appearance duly entered, and notice given on the day of appearance, but not otherwise .....	0 50
Of appearance to Writ of Revivor .....	0 50
To Plead .....	0 50
Of Declaration, when necessary.....	0 50
Of objection for mis-joinder, or non-joinder of Plaintiff.....	0 50
To Sheriff to discharge a prisoner out of custody.....	0 50
Notice in Ejectment to defend for part of premises .....	1 00
If above three folios, for every folio additional .....	0 20
Notice of admission of right and denial of ouster by a Joint Tenant, &c.....	0 50
If above three folios, for every folio .....	0 20
Of discontinuance by claimant in Ejectment.....	0 50
Of confession of action of Ejectment, as to whole or in part.....	0 50
Of trial or assessment.....	0 50
Demand of residence of Plaintiff .....	0 50
To admit or produce, if not exceeding two folios .....	0 50
For each folio above two.....	0 20
All other common notices.....	0 50

## ATTENDANCES.

Attendance at Judge's Chambers.....	1 00
Attendance to file or serve .....	0 50
Attendance to give or receive undertaking to appear when service of process accepted by an Attorney .....	1 00
Attorney attending trial of cause at Court of Assize, when not himself Counsel or Partner of Counsel .....	5 00
Attendance on Master in special matters .....	1 00
For every hour after the first .....	1 00
Taxation of costs per hour.....	1 00
All other necessary attendances.....	0 50

## BRIEFS.

For drawing Brief not exceeding five folios.....	2 00
Do per folio additional of original and necessary matter.....	0 20
Copies of documents, other than Pleadings, when required, per folio.....	0 10
Copy of issue book and brief for second Counsel, when fee taxed to him, per folio .....	0 10

## FEES.

Fee on every Record, Writ of Trial, or Enquiry.....	1 00
Fee on every Rule of Court or Judge's Order.....	1 00
Fee on attending by Counsel or Attorney, to hear Judgment of Court, when attendance is noted by the Registrar at the time.....	2 00

## AFFIDAVITS.

Drawing Affidavit, per folio .....	0 20
Copies of Affidavits when necessary, per folio .....	0 10
Common Affidavits of Service, when necessary, including copy and oath .....	1 00
Mileage on Services same as on Writs of Summons.	

## DEFENDANTS.

Appearance.....	\$ 0 70
For each additional Defendant.....	0 25
A second Summons, and order for time to plead shall be allowed in special cases, when necessary.	

## COUNSEL FEES.

Fee on Motion of Course, or on Motion for Rule Nisi, or on Motion to make Rule absolute, in matters not special.....	3 00
On Special Motion for Rule Nisi (only one Counsel fee to be taxed).....	10 00
To attend Reference to Master when Counsel necessary.....	5 00
On revising Pleadings, or Interrogatories, or settling or revising Special Cases when necessary, in the discretion of the Master, not exceeding.....	5 00
Advising on evidence in contested cases, in discretion of the Master, a sum not exceeding .....	5 00
Fee on argument on supporting or opposing Rules on return of Rule Nisi, or argument of Demurrer, special case or appeal.....	15 00
Fee with Brief on Assessments.....	10 00
Fee with Brief at trial.....	15 00
(To be increased by the taxing officer, in his discretion, to a sum not exceeding \$30 to Senior Counsel, and \$15 to Junior Counsel; provided that more than one Counsel Fee shall not be allowed in any case not of a special and important nature, nor more than two in any case, nor shall more than one fee be allowed to partners acting as Counsel.)	
Fee to Counsel when Counsel attend on argument or examination in Chambers, which in the opinion of the Master required attendance of Counsel.....	5 00

## SHERIFF.

Every Warrant to execute any process mesne or final directed to the Sheriff, when given to a Bailiff	\$ 0 75
Arrests when amount does not exceed \$200.....	2 00
Do. do. do. \$400.....	4 00
Do. do. is over \$400.....	6 00
Bail Bond, or Bond to the limits.....	2 00
Assignment of the same .....	1 00
Service of Process, non-bailable, Scire Facias, or Writ of Revivor, each Defendant.....	1 50
For each Summoner on Writ of Scire Facias per day, to be paid by the Sheriff.....	1 00
Serving Declarations, Subpoenas, Rules, Notices, or other papers (besides mileage).....	0 75
For each additional party served .....	0 50
Receiving, filing, entering, and endorsing all Writs, Declarations, Rules, Notices, or other papers, each .....	0 25
Return of all Process and Writs, except Subpoena.....	0 50
Return of Declarations, Rules, Notices, or other papers .....	0 25
Every search, not being by a party to a cause, or his Attorney.....	0 30
Certificate of result of such search when required (a search for a Writ against lands of a party, shall include sales under Writ against same party, and for the then last six months) .....	0 75
Notice of appointment for Ballot of Special Jury.....	0 50
Fee on Balloting Special Jury .....	5 00
Fee on striking.....	2 50
Serving each Special Juror (besides mileage at 25 cents per mile) .....	0 50
Returning panel of Special Jurors.....	1 00
Every Jury sworn or cause tried before a Judge.....	1 00
Poundage on Executions, and on attachments in the nature of Executions, where the sum made shall not exceed \$1,000, six per cent.	
Where the sum is over \$1,000 and under \$4,000, three per cent. on whatever exceeds \$1,000 in addition to the poundage allowed up to \$1,000; when the sum is \$4,000 and over, one and a half per cent. on whatever exceeds \$4,000 in addition to the poundage allowed up to \$4,000, exclusive of mileage for going to seize and sell, and except all disbursements necessarily incurred in the care and removal of property.	
Schedule taken on Execution, Attachment, or other Process, including copy to Defendant, not exceeding five folios .....	1 00
Each folio above five .....	0 10
Drawing advertisements, when required by Law to be published in the Official Gazette, or other Newspaper, or to be posted up in a Court House, or other place, and transmitting same in each suit .....	1 50
Every necessary notice of sale of goods in each suit.....	0 75
Every notice of postponement of sale in each suit.....	0 25
The sum actually disbursed for advertisements required by Law to be inserted in the Official Gazette or other Newspaper.	
Executing Writ of Possession, and serving and executing Writ of Restitution, besides mileage.....	6 00
Bringing up prisoner on Attachment or Habeas Corpus, besides reasonable charge for travel, not to exceed 40 cents per mile.....	1 50
Actual and necessary mileage from the Court House to the place where service of any process paper, or proceeding is made, per mile.....	0 25
Presiding or attendance on execution of Writ of Enquiry, or under any Writ of Escheat, or other Writ of a like nature.....	5 00
Summoning each Juror in such case.....	0 50
Bailiff's fee summoning Jury, mileage per mile.....	0 25
Hire of room, if actually paid, not to exceed \$5 per day.	
Mileage from the Court House to the place where Writ executed, per mile.....	0 25
Every letter written (including copy) required by party, or his Attorney, respecting Writs or Process, when postage prepaid.....	0 50
Drawing every Affidavit when necessary, and prepared by Sheriff.....	0 25
Precept or Warrant to Bailiff in Replevin .....	0 75
Drawing notice for service on Defendant in Replevin .....	0 75
Delivering goods to the party obtaining the Writ of Replevin.....	3 00
For Writ De Retorno Habendo.....	1 00
Drawing Replevin Bond.....	2 00
All necessary disbursements for the possession, care and removal of property taken in Replevin.	
Viewing lands and instructing Surveyors under Hab Fac Seisin, exclusive of mileage, per day.....	5 00
Giving possession, exclusive of mileage, and assistance.....	5 00
All reasonable necessary disbursements to Surveyors and others for surveying the lands and giving possession, to be allowed to the Sheriff upon taxation by the Master.	

## CORONERS.

The same Fees shall be taxed and allowed to Coroners for services rendered by them in the service, execution, and return of process, as allowed to Sheriffs for the same services, and above specified.

## ALLOWANCE TO WITNESSES.

To witnesses residing within three miles from the Court House, per diem .....	1 00
To witnesses residing over three miles from the Court House.....	1 25
Barristers and Attorneys, Physicians and Surgeons, when called upon to give evidence, in consequence of any professional service rendered by them, or to give professional opinions, per diem.....	4 00
Engineers and Surveyors, when called upon to give evidence of any professional service rendered by them, or to give evidence depending upon their skill or judgment, per diem .....	4 00
If the witnesses attend in one cause only, they will be entitled to the full allowance. If they attend in more than one case, they will be entitled to a proportionate part in each cause only.	
The travelling expenses of witnesses, over ten miles, shall be allowed, according to the sums reasonably and actually paid, but in no case shall exceed 30 cents per mile, one way	

## COMMISSIONER.

For taking every Affidavit .....	0 25
Taking every Recognizance of Bail.....	0 50

## FEES PAYABLE TO THE CROWN.

Every writ .....	0 50
Every concurrent, alias, pluries, or renewed writ .....	0 50
Every writ of trial, including praecipe .....	0 50
Every writ of subpœna .....	0 25
Every appearance entered and filing memorandum thereof .....	0 20
Every appearance, each defendant after the first .....	0 10
Filing every affidavit, writ, or other proceeding .....	0 10
Amending every writ or other proceeding.....	0 25
Every rule, not exceeding six folios .....	0 50
Every rule, exceeding six folios, per folio .....	0 25
Every judgment by default .....	0 50
Every final judgment, otherwise than judgment by default .....	0 50
Taxing every bill of costs and giving allocature .....	1 00
Every reference, inquiry, examination, or other special matter referred to the Master, for every meeting not exceeding one hour .....	1 00
For every additional hour or less.....	1 00
Upon payment of money into Court, for every sum under \$200 .....	1 00
Ditto, \$200 and under \$400 .....	2 00
Ditto, \$400 and above that sum .....	4 00
Every certificate made evidence by law, or required by the practice, including any necessary search .....	0 50
Exemplification or office copy of proceedings, per folio .....	0 10
Every search, if not more than two terms .....	0 10
Ditto, exceeding two and not more than four terms .....	0 20
Ditto, exceeding four terms, or a general search .....	0 50
Every affidavit, affirmation, &c., taken before the Registrar.....	0 25
Every allowance and justification of bail .....	0 25
Taking recognizance .....	0 25
Filing affidavit and enrolling articles previous to the admission of an Attorney .....	0 50
Every admission of an Attorney .....	2 00
Every record of nisi prius entered for trial or assessment .....	1 00
On setting down for argument of every demurrer, special case, points reserved, special verdict, or appeal case .....	0 30
Entering satisfaction on record and filing satisfaction piece, including any necessary search .....	0 50
Every commission for the examination of witnesses .....	1 00
Every commission for taking bail and affidavit (to be on parchment).....	2 00
Entering exoneretur on bail piece .....	0 25
Making up record of conviction or acquittal, per folio .....	0 10
Every Judge's summons.....	0 25
Every Judge's order .....	0 50
Every fiat for a rule of Court .....	0 25
Every acknowledgment by a married woman .....	0 50
Allowance of writ of error.....	0 50
Bail on cœpi corpus, error, or ejectment .....	0 25
Delivering bail piece off the file, or justification of bail .....	0 25
Bill of exceptions signed by Judge .....	0 50
Making entry of debt attachment.....	0 50
Affixing the Seal of the Court to any document (except a writ or concurrent, alias, pluries, or renewed writ, writ of trial, or subpœna) in addition to any other charge in this tariff .....	0 50

## LOWER SCALE.

In case an action of the proper competence of a County Court be brought in the Supreme Court, the Plaintiff shall be entitled to tax only County Court costs, unless the Judge who presides at the trial certifies, immediately after the verdict has been rendered or at any future time to which he may have postponed the consideration of granting or refusing the certificate, or in case of judgment without a trial, then unless a Judge certifies that it was a fit cause to be withdrawn from the County Court and brought in the Supreme Court.

## IN CHANCERY.

## COUNSEL.

On argument in Chambers, in cases proper for the attendance of Counsel.....	5 00
Fee on settling pleadings, petitions, revivers, replications (when special), and advising whether cause should be heard on bill and answer, or on motion for decree, or set down for examination and hearing, and advising on evidence .....	5 00
On special applications to the Court.....	10 00
Arguing demurrer or other special argument, or at the hearing of the cause .....	15 00
(To be increased by the Registrar in his discretion to any sum not exceeding \$30 to Senior Counsel, and \$15 to Junior Counsel; provided that more than one Counsel fee shall not be allowed in any suit or matter not of a special and important nature, nor more than two in any case, nor shall more than one fee be allowed to partners acting as Counsel.)	
Fee on drawing and settling allegations in praecipe for revivor in special cases, proper for the opinion of Counsel .....	5 00
Fee to be allowed on settling special affidavits used in Court.....	5 00
On special and important points, and matters requiring the attendance of Counsel, the Registrar may, in lieu of the fees for attendance, allow a Counsel fee when Counsel attend the same, to be noted at the time and not to exceed \$10.	
Fee on consultations .....	5 00

## SOLICITORS.

## INSTRUCTIONS.

Instructions for suit, or to defend, in mortgage or other ordinary suits or matters .....	3 00
In special suits or matters.....	4 00
For petition, or to oppose petition, when no bill filed .....	2 00
To be increased in special cases in Registrar's discretion to a sum not exceeding .....	4 00
For such important step or proceeding in the suit as the Registrar is satisfied warrants such a charge .....	2 00
For special affidavits when allowed by the Registrar .....	1 00
Instructions for brief .....	1 00

## PLEADINGS.

Drafting bill not exceeding 20 folios, including copy to keep .....	4 00
For every additional folio above 20 to be allowed in the discretion of the Registrar .....	0 20
Drafting answer or other pleading, petition, or proceeding, per folio .....	0 20
Fee to plaintiff's solicitor perusing answer .....	1 00

## AFFIDAVITS.

Drafting affidavits, per folio .....	0 20
Affidavit of service, including attendance to swear, copy, and oath .....	1 00
Perusing copies of affidavits filed or served by the opposite party, per folio .....	0 05

## COPIES.

Engrossed copies to file, copies to serve, per folio .....	0 10
Copies of order or other documents required to be served, per folio .....	0 10

## BRIEFS.

Brief, per folio, including briefing and fair copy of pleadings, depositions, affidavits, and necessary documents, subject to be reduced by the Registrar if the same contain superfluous matter or be of unnecessary length, or if the dates thereof be omitted .....	0 10
Observations or other original matter in brief, not to exceed ten folios, per folio .....	0 20

## ORDERS.

Drawing special minutes per folio prepared by the Solicitor.....	0 20
Appointment to settle or pass decree or order, copy and service .....	0 80
(When served on more than one party, the extra copies and services are to be allowed.)	
For every hour's attendance before the Registrar, by his appointment, on settling minutes, or passing decree or order, if noted by the Registrar or otherwise proved .....	1 00
The fee on settling minutes and passing decree or order may be increased in the discretion of the Registrar in special cases to a sum not exceeding \$5, where the Solicitor attends personally on such settling or passing. When the minutes are settled, or decrees or orders passed between the Solicitors, the Registrar shall have the same discretion as to the amount to be allowed.	
Fee on all decrees and orders to the party obtaining the same .....	1 00
Fee on praecipe decree .....	4 00

## PROCESS.

Praecipe for any process, including attendance with .....	0 70
Fee on all writs to the party obtaining the same.....	1 00

## SALES.

Drawing advertisement for the sale of real or personal estate under the direction of the Court, including all copies except for printing .....	2 00
And for each folio over five, per folio.....	0 20
(To be increased in the discretion of the Registrar to a sum not exceeding \$10 when special information has been procured for the purpose of the sale.)	
Copies for printing, per folio.....	0 10
Attending and making arrangement with Auctioneer.....	1 00
Revising proof .....	1 00
Fee on conducting sale when held where Solicitor resides.....	5 00
Fee on conducting sale, besides all necessary travelling expenses where Solicitor attends with the approval of the Registrar previously given .....	10 00

## ATTENDANCES.

Attendance on Registrar's warrant or appointment, or before a Special Examiner, on examination of witnesses, per hour.....	1 00-
(On special and important points and matters requiring the attendance of Counsel, the Registrar may, in lieu of the fees for attendance, allow a Counsel fee, when Counsel attend the same, to be noted at the time, and not to exceed \$10.)	
Solicitor's attendance in Court on hearing of cause, demurrers, or special motions .....	5 00
Attendance on taxation, per hour .....	1 00
On revision of taxation, the same fees are to be allowed as on taxation.	
Every necessary attendance .....	0 50
Attending to make each copy of bill, not exceeding five, an office copy.....	0 50

## LETTERS.

Letter to each defendant, before suit .....	0 50
Common letters in suit, each .....	0 50-
Common letter between Solicitor and Client.....	0 50
With power to the Registrar in both cases to increase the fee for special letters to an amount not exceeding .....	2 00
No letter is to be allowed unless the Registrar is satisfied of its necessity.	
Necessary agency letters in the course of a cause or matter to be allowed on taxation between party and party, as necessary attendances.	
Postages, the amount actually disbursed.	

## MISCELLANEOUS.

Drawing bill of costs, including copy to keep, per folio.....	0 20
Copy to serve, per folio .....	0 10
Statement of issues in the Registrar's office, when required by the Registrar.....	2 00
And for each folio over five, per folio.....	0 20
Fee thereon, in the discretion of the Registrar.....	2 00
Where it has been satisfactorily proved that proceedings have been taken by Solicitors out of Court resulting in expediting proceedings, saving costs, or compromising suits, an allowance is to be made therefor in the discretion of the Judge, corresponding as near as possible to the allowances specified in this tariff.	
Drawing Judge's appointment and attendance for his signature, and to serve .....	1 00
When served on more than one party the extra copies and services to be allowed.	
Service of, and mileage on serving, bill, process, paper, or proceedings, same as the Sheriff.	

## SHERIFF.

Receiving, filing, entering, and indorsing every paper .....	0 25
Return of all process and writs, except subpoenas .....	0 50
Return of subpoenas, orders, notices of motion, warrants, or other papers.....	0 25
Warrant to Bailiff on writ not executed by Sheriff or Deputy .....	0 75
Service of copy of bill (including affidavit and oath) .....	1 50
Each additional party served .....	0 50
Serving each warrant, notice, certificate, subpoena, or other paper .....	0 75
Each additional party served .....	0 50
Actual and necessary mileage from the Court House to the place where service of any bill, process, paper, or proceedings is made, per mile.....	0 25
Writ of arrest, arrest on, where amount does not exceed \$200.....	2 00
Ditto \$400 .....	4 00
Ditto over \$400 .....	6 00
Mileage going to arrest when made, per mile .....	0 25
Ditto conveying party arrested, from place of arrest to the gaol, per mile.....	0 25
Attachment, arrest on (besides mileage and expenses) .....	4 00
Sequestration upon seizure of estate and effects under writ of sequestration.....	4 00
Schedule of goods taken in execution (including copy of defendant) if not exceeding five folios.....	1 00
Each folio above five .....	0 10
Removing or retaining property, reasonable and necessary disbursements and allowances to be made by the Registrar, or by order of the Court or Judge.	
Poundage upon sequestration followed by sale or collection, or on execution, where amount made shall not exceed \$1,000, six per cent.; when the amount is over \$1,000 but under \$4,000, three per cent. on whatever exceeds \$1,000 in addition to the poundage allowed up to \$1,000; when the amount is over \$4,000, one and a half per cent. on whatever exceeds \$4,000, in addition to the sum allowed up to \$4,000, exclusive of mileage for going to seize and sell, and except all disbursements necessarily incurred in the care and removal of property, to be allowed by the Registrar in his discretion.	
Executing writ of assistance (besides mileage and expenses) .....	5 00
Every search, not being by a party to a cause or his Solicitor.....	0 30
Certificate of result of search when required; (a search for a writ against lands of a party shall include sales under writ against same party, and for the then last six months) .....	0 75
Drawing every affidavit when necessary and prepared by Sheriff.....	0 25
Notice of appointment for ballot of jury.....	0 50
Fee on balloting jury .....	5 00
Fee on striking.....	2 50
Serving each juror, besides mileage at 25 cents per mile .....	0 50
Every jury sworn.....	1 00

## CORONERS.

The same fees shall be taxed and allowed to Coroners for services rendered by them, in the service, execution, and return of process, as allowed to Sheriffs for the same services above specified.

## ALLOWANCE TO WITNESSES.

To witness residing within three miles of the Court House, per diem.....	1 00
To witnesses residing over three miles from the Court House, per diem.....	1 25

Barristers, Attorneys, Physicians, and Surgeons, when called upon to give evidence, in consequence of any professional service rendered by them, or to give professional opinions, per diem .....	4 00
Engineers and Surveyors, when called upon to give evidence of any professional service rendered by them, or to give evidence depending upon their skill or judgment, per diem .....	4 00
If the witnesses attend in one cause only they will be entitled to the full allowance.	
If they attend in more than one case they will be entitled to a proportionate part in each cause only.	
The travelling expenses of witnesses over ten miles shall be allowed, according to the sums reasonably and actually paid, but in no case shall exceed thirty cents per mile one way.	

## COMMISSIONER.

For taking every affidavit .....	0 25
For taking every recognizance .....	0 50

## FEES PAYABLE TO THE CROWN.

On filing every bill or amended bill, and entering parties' names .....	0 50
Filing answer or demurser .....	0 50
Entering every appearance, if not more than three defendants.....	0 50
Each defendant above three .....	0 10
Entering and filing all other pleadings, interrogatories, and depositions, or other evidence .....	0 20
Filing and registering affidavits, exhibits, or other papers.....	0 10
Entering note pro confesso .....	0 50
Subpœna, including filing præcipe .....	0 25
Special writ, writ of commission .....	1 00
Office copy of papers required to be given out, per folio.....	0 10
Examining and authenticating same when office copy prepared by Solicitor, every three folios .....	0 05
Amendment of record when re-engrossment not necessary, per folio .....	0 20
Setting down cause, other than for hearing pro confesso .....	2 00
Setting down cause pro confesso .....	0 50
Searching files in office one year (if within).....	0 20
Over one year and within two years .....	0 30
Every search over two years, or a general search in one cause .....	0 50
Drawing minutes of decree or spécial order, per folio.....	0 20
Drawing decree or order, per folio .....	0 20
Entering same, per folio .....	0 10
Fee on payment of money in or out of Court.....	0 30
Fee on admission of Solicitor .....	1 00
Attendance of Registrar on appointment of guardian .....	0 50
On every application in Chambers (including the order thereon if made) for a decree against infants for the administration of an estate, for the sale of an infant's estate, to declare a person a lunatic, for interim alimony, for a vesting order, for final order of forclosure or sale, for forclosure after abortive sale, to extend time for payment of mortgage money, or for taxation .....	1 00
On every other application (including the order thereon if made) .....	0 50
Filing and entering decree in Master's book.....	0 20
Every summons, warrant, or appointment.....	0 50
Administering oath or taking affirmation .....	0 20
Drawing depositions, reports, or orders, per folio .....	0 20
Every attendance of Registrar upon a reference .....	0 50
For each additional hour .....	0 50
Fee on report signed (only one to be allowed in each suit) .....	1 00
Every certificate, if not longer than two folios.....	1 00
For each folio over two .....	0 20
Taxing costs, per hour .....	1 00

## REGISTRAR AS EXAMINER.

Every appointment .....	0 50
Administering oath or taking affirmation .....	0 20
Marking every exhibit.....	0 20
Taking depositions, per hour .....	1 50
Fair copy for Solicitor, per folio, when required .....	0 10
Every attendance out of office within two miles .....	2 00
Every attendance out of office over two miles, extra per mile .....	0 25
Every certificate .....	0 50
Making up and forwarding answers, depositions, &c., including filing præcipe .....	0 50
Every attendance upon an appointment when Solicitor or witnesses do not attend, and examiner not previously notified .....	1 00

NOTE.—In case of a special examiner not a salaried officer of the Provincial Government, the above fees to examiner shall be paid to and kept by him for his own use.

## REDUCED SCALE IN CHANCERY.

In any of the following cases the costs (when costs are allowed) shall be as hereinafter in this table set down, that is to say, in the case of—

1. A person entitled to and seeking an account of the dealings and transactions of a partnership dissolved or expired, the joint stock or capital not having been over eight hundred dollars.
2. A creditor upon the estate of any deceased person, such creditor seeking payment of his debt (not exceeding two hundred dollars) out of the deceased's assets, not exceeding eight hundred dollars.
3. A legatee under the will of any deceased person, such legatee seeking payment or delivery of his legacy (not exceeding two hundred dollars in amount or value) out of such deceased person's personal assets, not exceeding eight hundred dollars.
4. A residuary legatee, or one of the residuary legatees of any such deceased person, seeking an account of the residue and payment, or appropriation of his share therein, the estate not exceeding eight hundred dollars.
5. An executor or administrator of any such deceased person seeking to have the personal estate (not exceeding eight hundred dollars) of such deceased person administered under the direction of the Court.

6. A legal or equitable mortgagee, whose mortgage has been created by some instrument in writing, or a judgment creditor having duly registered his judgment, or a person entitled to a lien or security for a debt seeking foreclosure, or sale, or otherwise to enforce his security, where the sum claimed as due does not exceed two hundred dollars.  
 7. A person entitled to redeem any legal or equitable mortgage, or any charge or lien, and seeking to redeem the same, where the sum actually remaining due does not exceed two hundred dollars.  
 8. Any person seeking equitable relief for or by reason of any matter whatsoever, where the subject matter involved does not exceed the sum of two hundred dollars.

### SOLICITOR:

Instructions for suit .....	1 00
Instructions to defend .....	1 00
Instructions for petition where no bill is filed .....	1 00
Letter of notice before instituting suit .....	0 50
Drafting bill not exceeding twenty folios, including copy to keep .....	2 00
For every additional folio above twenty, (to be allowed in the discretion of the Registrar) including copy to keep, per folio .....	0 20
(No greater sum than three dollars, to be taxed by the Registrar for drawing any bill, without the special direction of one of the Judges of the Court, who may allow any sum not exceeding ten dollars, upon the application of the Solicitor requiring the same.)	0 20
Drafting answer or other pleading, petition or special affidavit, per folio .....	0 20
(No greater sum than three dollars, to be taxed for drawing any answer, petition, or affidavit, without the special direction of one of the Judges of the Court, as provided for in the case of Bills.)	0 20
Engrossed copies to file, copies to serve (other than copies on which a fee is paid to the Registrar for reading over or authenticating the same), per folio .....	0 10
Copies of orders, or other papers or documents required to be served, per folio .....	0 10
Office copies authenticated by the Registrar, per folio .....	0 10
Affidavits of service of bill, including attendance to swear .....	1 00
Affidavits of service, including attendance to swear .....	0 20
Præcipe for any process, including attendance .....	0 25
Special attendance on Registrar's warrant or appointment, or on examination of witnesses, or on hearing of cause or demurrer, or special motion .....	0 50
(No such fee or any other costs of and incidental to an appointment is or are to be allowed by the Registrar to any party, either by consent or on any ground whatever, as part of the costs of the cause, when the appointment was adjourned without being proceeded on, or where no substantial progress with the reference was made thereon.)	0 50
When the hearing shall exceed one hour, then for every additional hour which shall be occupied by such hearing, and at which the Solicitor shall be present in Court, provided the same be noted in the Registrar's book, or be proved by affidavit (such affidavit to be without charge,) the same not to exceed two dollars .....	0 50
For every additional hour beyond one hour in the Registrar's Office .....	0 50
(For attendance in the Registrar's Office upon a warrant or appointment to hear and determine, the Registrar may increase the fee for such attendance to any sum not exceeding one dollar per hour, where in the judgment of the Registrar the matters to be heard and determined are of such special nature as to have required previous preparation, and where the Registrar finds that previous preparation has been bestowed thereupon, and that in his judgment such increased fee is reasonable and proper under the circumstances, but no such allowance is to be made for more than one day, unless the hearing is proceeded with de die in diem to the conclusion thereof, or unless such proceeding be prevented by a party other than the one claiming the increased allowance, and the increased allowance is not to be made unless the same is noted at the time in the Registrar's book.)	0 50
For every additional hour in the examination of witnesses where no Counsel employed .....	0 50
(The fee on the attendance of a Solicitor, where the Solicitor attends in person, and no Counsel is employed, may in special cases be increased, in the discretion of the Judge or Officer before whom the examination is had, to one dollar, and where the examination occupies more than one hour then one dollar for every additional hour which is so occupied and during which the Solicitor is present in attendance thereupon, provided the same is noted at the time in the book of the Registrar or other Officer, as the case may be.)	0 50
(No special attendance to be allowed to a Solicitor on proceedings upon which he appears also as Counsel.)	0 50
Appointment to settle minutes, or to pass decree or order, copy and service .....	0 50
For every hour's attendance before the Registrar by his appointment, on settling minutes, the same being noted by the Registrar .....	0 50
For every hour's attendance before the Registrar by his appointment, on passing decree or special order, the same being noted by the Registrar .....	0 50
(The fee on settling minutes and on passing decrees or orders may be increased, in the discretion of the Registrar, in special cases to one dollar, where the Solicitor attends personally on each settling or passing.)	0 50
Where minutes settled, or decree or special order approved of or passed between the Solicitors, after appointment issued by the Registrar .....	0 50
(In such case no fee to be allowed to either party as for attendance before the Registrar in respect of the same settling or passing.)	0 50
Fee on all orders and writs of court to the party obtaining the same .....	0 50
Instructions for brief .....	0 50
Brief per folio, including briefing and fair copy, subject to be reduced by the Registrar, if the same contain superfluous matter or be of unnecessary length .....	0 10
Observations or other original matter in brief, not to exceed ten folios, per folio .....	0 20
(A brief of deposition or special affidavits to be allowed only where fee and brief for second Counsel is taxed.)	0 20
Drawing special minutes when prepared by the Solicitor, per folio .....	0 20
Advertisement for sale of real or personal estate under the direction of the Court, including all copies, except for printing .....	0 50
Copies for printing, per folio .....	0 10
Fee on conducting sale, including arrangements with Auctioneer, correcting proof sheets (if any) and attending sale .....	2 50
Drawing bill of costs and attending taxation .....	0 50
Drawing Judge's appointment, and attending for his signature, and to serve .....	0 50
Every necessary attendance .....	0 25
Necessary agency letters in the course of a cause or matter to be allowed on taxation between party and party as attendances .....	0 25

**Postages**, the amount actually disbursed.

**The sum allowed for copying and briefing** shall be ten cents per folio, except where authenticated by the Registrar or read over by him, but the same shall not in any case exceed one-half of the amount allowed for drawing what shall be so copied or briefed.

**Service of, and mileage on serving, bill, process, paper, or proceeding**, same as Sheriff.

#### COUNSEL.

<b>On argument in Chambers in cases proper for the attendance of Counsel .....</b>	3 00
<b>On settling and signing pleadings and petitions respectively, where from their special nature the Registrar shall think the pleading or petition a proper one to be settled by Counsel .....</b>	3 00
<b>On consultations .....</b>	2 00
<b>On special applications to the Court, arguing demurrer or other special argument, or at the hearing of a cause .....</b>	5 00
<b>(To be increased by the Registrar to a sum not exceeding twenty dollars to senior Counsel, and ten dollars to junior Counsel, in suits of a special and important nature; but more than one Counsel fee is not to be allowed in any case not of a special and important nature, nor more than two in any case, nor shall more than one fee be allowed to partners acting as Counsel.)</b>	

#### SHERIFFS.

Same allowances as set down to Sheriffs in the previous part of this table in Chancery.

#### WITNESSES.

Same allowances as set down in the previous part of this table in Chancery.

#### FEES PAYABLE TO THE CROWN.

<b>Entering parties' names, and filing bill, answer, or demurrer .....</b>	0 50
<b>Entering and filing all other pleadings, interrogatories, and depositions, or other evidence. Filing and registering affidavits, exhibits, or other papers.....</b>	0 10
<b>Entering note pro confesso.. .....</b>	0 20
<b>Subpæna, including filing præcipe .....</b>	0 20
<b>Special writ, writ of commission.....</b>	0 50
<b>Office copy of papers required to be given out, per folio .....</b>	0 10
<b>Examining and authenticating same, when office copy prepared by Solicitor, every three folios .....</b>	0 05
<b>Amendment of record, when re-engrossment not necessary, per folio.....</b>	0 10
<b>Setting down cause, other than for hearing pro confesso.....</b>	1 00
<b>Setting down cause pro confesso.....</b>	0 20
<b>Searching files in office .....</b>	0 10
<b>Drawing minutes of decree or special order, per folio.....</b>	0 20
<b>Drawing decree or order, per folio .....</b>	0 20
<b>Entering same, per folio .....</b>	0 10
<b>Fee on payment of moneys into or out of Court.....</b>	0 10
<b>On every application in Chambers (including the order thereon, if made), for a decree against infants, for the administration of an estate, for a vesting order, for final order of foreclosure or sale, for foreclosure after abortive sale, or to extend time for payment of mortgage money..</b>	0 50
<b>On every other application (including the order thereon, if made).....</b>	0 20
<b>Every summons or warrant.....</b>	0 10
<b>Administering oath or taking affirmation.....</b>	0 20
<b>Drawing deposition, report, or orders, per folio.....</b>	0 20
<b>Every attendance upon a reference .....</b>	0 50
<b>For each additional hour.....</b>	0 50
<b>Every certificate.....</b>	0 20
<b>Taxing costs, including attendance.....</b>	0 50
<b>Reading affidavit, per folio .....</b>	0 02
<b>Matter added, per folio .....</b>	0 20

#### REGISTRAR AS EXAMINER.

<b>Every appointment .....</b>	0 10
<b>Administering oath or taking affirmation .....</b>	0 20
<b>Marking each exhibit .....</b>	0 20
<b>Drawing depositions, per folio.....</b>	0 20
<b>Copy for Solicitor when required, per folio.....</b>	0 10
<b>Every attendance out of office when within two miles.....</b>	0 50
<b>Every attendance out of office above two miles, extra per mile .....</b>	0 25
<b>Every certificate.....</b>	0 25
<b>Making up and forwarding answers and depositions .....</b>	0 10
<b>Every attendance upon an appointment, when Solicitor or witnesses do not attend, and examiner not previously notified .....</b>	0 50
<b>NOTE.—In the case of a special examiner not a salaried officer of the Provincial Government, the above fees to examiner shall be retained by him for his own use.</b>	

#### IN PROBATE.

<b>On all probate and letters of administration in all parts of the Province, the charge of one per cent. heretofore made on the value of the estate, payable by father, mother, husband, wife, brother, sister, or children of deceased, shall be discontinued; but in the case of all other legatees or next of kin five per cent. on the value of the estate shall be paid to the Crown.</b>
<b>All other fees to the Crown, and also the costs as between party and party or between Attorney or Solicitor and client, to be taken or allowed in the above Court shall, as nearly as possible, be the same as those taken or allowed in the Court of Common Law under this table, unless the estate does not exceed \$800, in which case the fees and costs shall, as nearly as possible, be those of the County Court.</b>

## IN LUNACY.

Same fees, costs, and charges as are set down in the first Chancery tariff of this table, in analogous cases.

## GENERALLY.

As to all proceedings, instruments, and attestations to which the Seal of the Court shall be attached, either necessarily or at the request of the party, a fee of \$1 shall be paid, unless such instrument be already under any of the foregoing tariffs, or under any Act of the Legislature, chargeable with a specific fee (other than office copy fees.)

When the Registrar is unable to have office copies made to suit the wants of parties, they can make them themselves, and no fee shall be paid therefor except for a search (when made), unless the Registrar is called upon to certify them, in which case one-half the amount set down in the tariffs for office copies shall be paid, unless otherwise provided.

In all cases when in this table the amount is in the discretion of the Master or Registrar, he shall on taxing be guided, as near as possible, by the allowances for items in the foregoing tariffs in analogous cases.

Throughout the whole of this table a folio shall consist of 100 words.

On taxation of mileage, if the taxing officer should be of opinion that the item would have been less by a reasonable use of the mail, or of any stage, steam-boat, or train route, he shall only allow the amount that would have been incurred by the use of the mail or such route.

All fees, costs, and charges, as set down in the foregoing tariffs, shall be uniform throughout the whole Province.

No charge is to be made for filing exhibits at the trial or hearing, unless they are to remain permanently on the files of the Court.

## JURORS.

The allowances to Jurors shall be the same as heretofore.

T. B. HUMPHREYS,

*Provincial Secretary and Clerk Executive Council.*

## Appointment.

PROVINCIAL SECRETARY'S OFFICE,  
3rd December, 1878.

HIS HONOUR the Lieutenant-Governor has been pleased to appoint ALEXANDER MACKENZIE, Esquire, of Masset, Queen Charlotte Island, to be a Justice of the Peace in and for the Province of British Columbia.

## Proclamation.

[L. S.] A. N. RICHARDS.  
CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To Our faithful the Members elected to serve in the Legislative Assembly of Our Province of British Columbia, and summoned and called to a meeting of the Legislature or Parliament of Our said Province, at Our City of Victoria, on Friday, the Twentieth day of December inst., to have been commenced and held, and every of you—GREETING.

## A PROCLAMATION.

GEO. A. WALKEM, WHEREAS the meeting of Attorney-General. W the Legislature or Parlia-

ment of the Province of British Columbia, stands called for Friday, the Twentieth day of December instant, at which time, at Our City of Victoria, you were held and constrained to appear.

NOW KNOW YE, that for divers causes and considerations, and taking into consideration the ease and convenience of Our loving subjects, We have thought fit, by and with the advice of Our Executive Council of the Province of British Columbia, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on WEDNESDAY, the TWENTY-NINTH day of the month of JANUARY next, you meet Us in Our said Legislature or Parliament of Our said Province, at Our City of Victoria, FOR THE DISPATCH OF BUSINESS, to treat, do, act, and conclude upon those things which in Our Legislature of the Province of British Columbia, by the Common Council of Our said Province may, by the favour of God, be ordained.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed: WITNESS, the Honourable ALBERT NORTON RICHARDS, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria in Our said Province, this Third day of December, in the year of Our Lord one thousand eight hundred and seventy-eight, and in the forty-second year of Our Reign.

By Command.

CHAS. E. POOLEY,  
*Registrar, Supreme Court.*

VICTORIA: Printed by RICHARD WOLFENDEN, Government Printer,  
at the Government Printing Office, James' Bay.

